

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 2, 2003**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of April 2, 2003, was called to order by Mayor Hitchcock at 4:40 p.m.

Present: Council Members – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Review of Council Appointees – City Clerk, City Attorney, and City Manager (Government Code §54957) (CM)

C-3 ADJOURN TO CLOSED SESSION

At 4:40 p.m., Mayor Hitchcock adjourned the meeting to a Closed Session to discuss the above matter.

The Closed Session adjourned at 7:03 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:12 p.m., Mayor Hitchcock reconvened the City Council meeting, and City Attorney Hays disclosed the following action.

In regard to Item C-2 (a), there was no action taken.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of April 2, 2003, was called to order by Mayor Hitchcock at 7:12 p.m.

Present: Council Members – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. INVOCATION

The invocation was given by Captain Frank Severs, Lodi Salvation Army.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hitchcock.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

Mayor Hitchcock introduced student Nawaz Shah who was serving as "Mayor for the Day."

D-1 (a) Thomas Goad, president of the Library Board of Trustees, presented the 2003 Bob Hildreth Library Volunteer of the Year Award to Leonard Humphreys.

D-2 (a) Mayor Hitchcock and Mr. Shah presented a proclamation to Nancy Martinez, Library Services Director, proclaiming the week of April 6 – 12, 2003, as "National Library Week" in the City of Lodi.

D-2 (b) Mayor Hitchcock and Mr. Shah presented a proclamation to Mary McCurley, Education Director with the Lodi Boys and Girls Club, proclaiming the week of April 6 – 12, 2003, as "National Boys and Girls Club Week" in the City of Lodi. Richard Jones, Executive Director of the Lodi Boys and Girls Club, thanked Council for its support and presented each with a token of appreciation. Mr. Shah presented a bouquet of flowers to Janet Keeter, Chairperson of the Lodi Boys and Girls Club. Mr. Jones reported that over the past nine months the board of directors has volunteered over 900 hours and raised more than \$260,000.

- D-2 (c) Mayor Hitchcock and Mr. Shah presented a proclamation to Ralph Lee with the Lodi Motorcycle Club in celebration of Lodi Cycle Bowl's 50th Anniversary.
 - D-2 (d) Mayor Hitchcock and Mr. Shah presented a proclamation to Roberta Richards, Sexual Assault Coordinator for the First Five Program, proclaiming the month of April 2003 as "Sexual Assault Awareness Month" in the City of Lodi.
 - D-2 (e) Mayor Hitchcock and Mr. Shah presented a proclamation to Police Chief Jerry Adams, along with Dispatcher-Jailer Kim VanTassel, representing the Lodi Police Dispatchers Association, proclaiming the week of April 13 – 19, 2003, as "National Telecommunicators' Week" in the City of Lodi.
 - D-2 (f) Mayor Hitchcock and Mr. Shah presented a proclamation to Joseph Wood, Community Improvement Manager, proclaiming the month of April 2003 as "Keep California Beautiful Month" in the City of Lodi.
 - D-2 (g) Mayor Hitchcock and Mr. Shah presented a proclamation to George Bradley, Street Superintendent, in celebration of "Arbor Day." Also accepting this proclamation and joining in this effort were Steve Dutra, Parks Superintendent; Ray Fye, Tree Operations Supervisor; Arilee Pollard, representing the Lodi Garden Club; and Joyce Harmon.
 - D-3 (a) Lori Blackwell, Relay for Life Chairperson, and Cynthia Hays with the American Cancer Society gave a presentation to the City Council regarding the American Cancer Society's Relay for Life.
- Mayor Hitchcock presented Nawaz Shah with a gift and congratulated him for being selected as the Lodi Boys and Girls Club 2003 Youth of the Year.
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E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Land, Beckman second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- E-1 Claims were approved in the amount of \$2,376,421.22.
- E-2 The minutes of March 4, 2003 (Special Joint Meeting with the Downtown Lodi Business Partnership), March 5, 2003 (Regular Meeting), and March 20, 2003 (Special Joint Meeting with the Lodi Library Board of Trustees) were approved as written.
- E-3 Received the report of the sale of scrap metal.
- E-4 Approved the plans and specifications for Kettleman Lane Median Project from Hutchins Street to School Street and authorized advertisement for bids.
- E-5 Approved the specifications for thirty 45-foot and twenty-five 50-foot Class 3 wood utility poles and authorized advertisement for bids.
- E-6 Adopted Resolution No. 2003-50 rejecting the low bid for conduit fittings (couplings, elbows) submitted by All-Phase Electric Supply Company, of Stockton; awarding the bid for fittings to the second low bidder by virtue of payment terms offering a 2% discount if invoice is paid within 20 days to Intraline, Inc., of Burlingame; and further awarding the bid for utility conduit to the low bidder in that category, AZCO, of Stockton, for a total amount of \$32,554.30.
- E-7 Adopted Resolution No. 2003-51 authorizing the City Manager to sign a consulting services agreement with McDonald Partners, Inc. to provide bulk power cost modeling and strategic services to the Electric Utility Department (not to exceed \$40,000) for the remainder of the 2002/03 fiscal year.

Continued April 2, 2003

- E-8 "Adopt resolution to amend Resolution 2002-255 to: 1) rescind the improvement agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by J.C. Custom Homes, Inc., and 2) approve the improvement agreement for Woodhaven Park, Unit No. 3, Tract 3187, executed by Fletcher Organization, Inc." was ***pulled from the agenda pursuant to staff's request.***
- E-9 Adopted Resolution No. 2003-52 amending Traffic Resolution 97-148 approving a 30 mile per hour speed limit on Mills Avenue from Harney Lane to Century Boulevard.
- E-10 Adopted Resolution No. 2003-53 approving the Change Order to purchase new modems for installation at City wells, storm drain pump stations, and wastewater lift stations in support of the new Supervisory Control and Data Acquisition System currently being installed at the Henning Operations Center (\$51,655).
- E-11 Adopted Resolution No. 2003-54 authorizing the Community Development Director to submit a Code Enforcement Grant Program Application to the State Department of Housing and Community Development Department.
- E-12 Authorized the City Manager to execute a contract with Lodi Tokay Rotary Club for the 10th Annual Oooh Ahhh Festival to be held on July 4, 2003, at Lodi Lake Park in the amount of \$18,000.
- E-13 Set public hearing for April 16, 2003, to consider the Planning Commission's recommendation of approval to the City Council for the rezoning of 1331 and 1349 East Kettleman Lane from U-H, Unclassified Holding to M-1, Light Industrial; the request also includes a recommendation that the City Council certify Negative Declaration ND-03-02 as adequate environmental documentation of this project.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

G. PUBLIC HEARINGS

- G-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hitchcock called for the public hearing to consider resolution approving the Initial Study and Mitigated Negative Declaration for the Lower Sacramento Road Widening, Harney Lane to Kettleman Lane, Project.

City Engineer Wally Sandelin reported that a portion of the median will be installed in front of DeBenedetti G-basin continuing northward to Century Boulevard where there would be a median opening for the future intersection. The median would continue northward to the driveway access for the rear of the Food for Less store and continue on to the intersection of Kettleman Lane. The plans and specifications for the project are 90% completed. Staff expects to complete the plan review process with Caltrans and submit the refund request to the California Transportation Commission (CTC) in July 2003. It is anticipated that construction of the project will be delayed because of the shortfall in the State Transportation Improvement Program (STIP) funding at the state.

Council Member Land commented on the breeding, nesting, and wintering seasons of the Swenson Hawk and Burrowing Owls as outlined in the Negative Declaration and questioned whether the monitoring requirements could delay or prevent the project from being undertaken.

Mr. Sandelin replied that the same restrictions existed on the Lower Sacramento Road project north of Kettleman Lane and the project was not delayed.

Community Development Director Bartlam explained that the key to carrying out the mitigation measure is the tree removal. Once the trees are removed, there is nowhere for the birds to nest. He reported that 25 trees will be removed for the project and replaced.

In answer to questions posed by Council Member Hansen, Mr. Sandelin reported that two public meetings specific to this project, in addition to regular public meetings, were held over the course of three years during the development of the specific plan for Lower Sacramento Road. Mr. Bartlam added that notification regarding tonight's public hearing was also done. Mr. Sandelin stated that there have been concerns expressed relative to access, and for that reason, the raised median was stopped at the southern terminus of DeBenedetti Park. Eventually the County will continue the widening project to Eight Mile Road. The next project will be to realign the curve from Harney Lane to Armstrong Road. Mr. Sandelin stated that the design for the Century Boulevard extension has been completed and, if funding were available, it would be constructed concurrently with this project.

In response to questions posed by Mayor Hitchcock, Mr. Sandelin explained that the County is currently in the process of acquiring the right of way so that it can proceed with the design. The intersection and lighting would be part of the County's project. He estimated that the County could begin construction in 18 to 30 months. The City's timeframe is driven by the funding shortfall in the STIP program. Public Works Director Prima reiterated that the County is handling the curve realignment issue. The Harney Lane intersection cannot be done separately from the curve realignment.

Mayor Hitchcock recommended that the City's project and the County's curve realignment be done as closely together as possible to prevent traffic congestion at the intersection, to which Council Member Hansen concurred.

Mayor Pro Tempore Howard pointed out that Council will have an opportunity to discuss the design of this project in June. She suggested that at that time staff show Council the design that was approved by the County Planning Commission three years ago.

Mr. Bartlam reported that the negative declaration analyzed all of the required topic areas under the California Environmental Quality Act (CEQA) and found that 13 mitigation measures were required. Many of the mitigation measures are biological related. The balance of the measures are perfunctory to the road widening project. He recommended that Council certify the Negative Declaration as presented.

In response to Council Member Beckman, Mr. Bartlam explained that from a timing perspective on this project, this is the appropriate time to take action on the environmental process. He stated that there is no expiration of the CEQA analysis; however if the project is delayed two to four years, the environmental document will have to be revisited. If during that time there are no changes in terms of land use, development, or other factors, the timeframe could probably be extended.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Land, Beckman second, unanimously adopted Resolution No. 2003-55 approving the Initial Study and Mitigated Negative Declaration for the Lower Sacramento Road Widening, Harney Lane to Kettleman Lane, Project.

H. COMMUNICATIONS

- H-1 On recommendation of the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), and Human Resources staff, the City Council, on motion of Council Member Land, Howard second, unanimously rejected the following claim:
 - a) Khalid Khan, date of loss 2/21/03
- H-2 The following report was presented to the City Council:
 - a) Planning Commission report of March 12, 2003
- H-3 Appointments – None
- H-4 Miscellaneous – None

I. REGULAR CALENDAR

- I-1 "State Budget Update"

City Manager Flynn reported that the Republican Caucus is suggesting that cities share in the reductions coming forward of about \$500 million. In addition, a constitutional amendment has been recommended to protect city government's revenues in the future, which would require an 80% approval of the legislature before any money could be taken away. Through February, the State revenue was 6.5% below what it had projected to date.

MOTION/ VOTE:

There was no Council action necessary on this matter.

- I-2 "Review significant expenditure requests submitted as part of the 2003-05 Financial Plan and Budget"

City Manager Flynn reported that in looking at the projections, it appears that the City is between \$1 and \$2 million short. Staff is currently formulating a plan to bring to Council on April 16, which may include recommendations for new fees, a day without pay for employees one day a month, and possibly reductions in staff. Mr. Flynn stated that he will continue to recommend that the City implement the salary survey. He also recommended that there be no negative impact on any of the uniformed officers in the Police and Fire Departments, as well as dispatchers in public safety and Electric Utility, because they are essential to the operation of the City. Significant impacts on the general fund include increases of \$313,000 in general liability, \$821,000 in Workers Compensation, and \$910,000 in medical insurance and CalPERS costs.

Council Member Hansen recalled that he had asked the City Manager at the last meeting whether or not layoffs were anticipated and the answer at that time was that they were not. He felt it was important to explain to City staff and citizens that the reason this has changed is because of the \$2 million in increased costs. He questioned whether the Vehicle License Fee (VLF) would be included in the budget.

Mr. Flynn replied that the VLF backfill will be included in the budget. If it were deducted it would amount to an additional \$2 million shortfall. The information staff has received from the state is that the VLF backfill will automatically be reinstated if the state does not have sufficient general fund revenues to pay the cities. The Assembly, Governor's Office, and legal opinions of the State Financial Controller all indicate that if the state cannot pay the cities, the backfill will be reinstated as a tax.

Deputy City Manager Keeter reviewed the report of significant expenditure requests that are being recommended by the City Manager for inclusion in the 2003-04 and 2004-05 budget years, as well as blue sheet documents of recent corrections to the report (both filed):

Police Department

- Page 1, blue sheet, line item 1, \$5,185 for reclassification of the Management Analyst II in Police Administration, to a Management Analyst III. Recommendation to defer to 2nd year.

Council Member Hansen asked whether there are any other Management Analyst III positions in the City, to which Ms. Keeter stated that there were not.

- Page 2, \$6,200 per year for service agreement for Deck Alpha. The Information Systems Division (ISD) felt that because of the critical nature of the CAD system there should be an agreement for maintenance. Recommendation to fund in 1st year.
- Page 3, \$69,000 to begin a high crime investigation division. The request is to hire one new police officer in the first year and two new officers in the second year. It is hoped that grants could fund the two officers in the second year. Recommendation to hire first officer in 2nd year with consideration of two more officers in the next two year budget cycle.

Mayor Pro Tempore Howard stated that she had brought this matter to the attention of the City Manager and Chief of Police approximately a year ago. For the past several years she and her husband have been doing research in the area of high crime investigation, and specifically, identity theft. At a COPSWest conference she attended last year she found that there was now much more awareness among the police departments and FBI organizations, as to the prevalence of high tech crimes. She reported that one in four people are victims of high tech crimes and noted that they become victims over and over during the time it takes to redeem their name and credit. She thanked Reba Ridino who is currently the only representative in the Lodi Police Department who is specializing in this area.

Mayor Hitchcock stated that Council should be cautious of adding staff when reductions may become necessary due to financial difficulties. She suggested that expertise be developed in house on this subject.

Council Member Hansen asked how much of a problem this is in Lodi.

Police Chief Adams stated that identity theft is an emerging trend all over the nation. It is estimated that 500,000 Americans have their identities stolen every year. The Federal Trade Commission has reported that 43% of all complaints they received in 2002 were as a result of identity theft. Chief Adams stated that he needed four officers for the high crime investigation unit and noted that it would include identity theft, child exploitation on the Internet, fraud, and white collar crime.

- Page 4, \$80,000 overtime request to continue DUI checkpoints. When the Police Department originally implemented this it consisted of two patrol cars dedicated to DUI checkpoints once a month and traffic safety every Friday and Saturday night. The Office of Traffic Safety grant has since expired. Recommendation to fund \$40,000, which would allow the Police Department to continue with DUI checkpoints six times a year and have one patrol unit every Friday and Saturday night assisting with DUI problems.

Council Member Hansen recalled that last year the City of Lodi was number one in the county in terms of the number of drunk drivers arrested.

Chief Adams stated that it is impossible to quantify what is prevented, and noted that over 500 drunk drivers were taken off the road last year.

- Page 5, Animal Shelter \$5,500 request for professional services to allow veterinarians to administer vaccinations at the shelter. Recommendation to approve in 1st year.

Mayor Pro Tempore Howard noted that veterinarians are already voluntarily providing this service and questioned the need for this request.

Chief Adams replied that the veterinarians suggested that this is a cost the City should consider in its budget.

- Page 6, \$5,000 for continued rental of a trailer used for animal shelter office space. Recommended for approval.

Fire Department

- Page 7, \$6,000 breathing air system for truck one. Proposing to use Proposition 172 funds. Recommended for approval in 1st year.
- Page 8, \$324,435 in 1st year to add four firefighters. In March 2002 the engine from Fire Station #1 was moved to Fire Station #4. Staffing was reduced at Station #1 from six to four firefighters per shift. Recommendation that the engine company not be reestablished in downtown until 2004-05.

Council Member Land recalled that in 1997 Council adopted a standard of coverage, which said that for moderate hazards the City would have 16 firefighters available; currently there are 14. He recommended that this request be approved.

City Manager Flynn cautioned that if four new firefighters are funded, the cost must be offset somewhere else in the budget.

Council Member Land expressed support for deferring the paramedic program one year to allow adequate funding for an engine to be brought back to Station #1.

At the request of Council Member Hansen, Fire Chief Pretz explained that NFPA 1710 is a deployment standard that requires a fixed number of firefighters on the ground before firefighting operations begin. The term "two in, two out" means that before two firefighters are sent in, two firefighters must be standing by. Chief Pretz estimated that it takes six months for the hiring and training process to be completed for a firefighter.

Mayor Pro Tempore Howard commented that she appreciated the input she received on this topic from the Lodi Professional Firefighters. She stated that it was important to start the hiring process this year, due to the length of time needed for training.

In response to Council Member Hansen's suggestion to hire two firefighters in year one and two in the 2nd year of the budget, Chief Pretz explained that he has three shifts to cover, so a minimum of three firefighters are needed.

Mayor Pro Tempore Howard voiced support for approving the request as presented. She stated that it will also be necessary to acquire an engine for the firefighters to serve on and noted that the lease payments for engines two and three will conclude at approximately the same time as the Fire Department would be considering the purchase of a new engine.

Mayor Hitchcock stated that she would prefer to have an engine downtown than fund a new high tech crime investigation unit at the Police Department.

Mayor Pro Tempore Howard and Council Member Land reiterated their support for hiring four firefighters in year one as requested.

Council Members Hansen and Beckman voiced support for hiring three firefighters in year one and one firefighter in year two.

- Page 9, blue sheet, line 9, \$506,845 in first year and \$541,690 in second year for the paramedic program. This would include hiring six paramedics. An Emergency Medical Services (EMS) Coordinator is in the process of being hired on a contractual basis to organize the paramedic program. In September 2002 Council directed staff to move forward with the paramedic program and bring back a funding request for budget years 2003-05. Page 11 outlines the first responder fee analysis, which could bring in revenues of \$478,000 to offset expenses for the paramedic program. Recommendation to begin implementation of the paramedic program in the 2nd year.

In reply to Mayor Pro Tempore Howard, Ms. Keeter stated that in year one the EMS Coordinator would work on development of the first responder fee and phasing in the paramedic program over a number of years.

Fire Chief Pretz introduced Ty Mayfield, EMS Coordinator, who confirmed that his intent is to create the business basis under which the Fire Department paramedic program would operate.

Mayor Pro Tempore Howard agreed with the City Manager's recommendation to defer the paramedic program for one year with implementation in 2004-05; however, she asked that the words "if fully funded" be removed, pointing out that there might be some additional initial start up costs.

In reply to Council Member Hansen, Chief Pretz acknowledged that the first responder fee would never pay for the entire paramedic program.

Mayor Hitchcock suggested that the first responder fee topic be discussed with Council at a Shirtsleeve Session prior to adoption of the final budget.

Council Member Hansen stated that he was committed to the paramedic program, but would be willing to defer it one year.

- Page 12, \$22,500 to continue the firefighter academy at the Stockton Fire Department. Recommended approval for 1st and 2nd year.
- Page 13, \$12,595 in 2nd year for emergency vehicle operator course to allow five drivers per year to attend a two-day refresher course. Recommended for approval.

RECESS

At 9:43 p.m., Mayor Hitchcock called for a recess, and the City Council meeting reconvened at 9:55 p.m.

I. REGULAR CALENDAR (Continued)

I-2 Public Utilities (Enterprise Funds) (Cont'd.)

- Page 14, Stormwater Management Program required by the Environmental Protection Agency and Regional Water Quality Control Board to be implemented over a period of five years. A major requirement of obtaining a permit is to identify and put into place best management practices to eliminate pollutants from entering the waterways. Areas to be addressed are street cleaning practices, construction activities, and discharges at Mokelumne River, Woodbridge Irrigation Canal, and commercial and industrial facilities. This is an unfunded mandate and will be paid out of the wastewater fund. Recommendation to approve funding of \$118,500.
- Page 16, \$25,000 Water and Wastewater Utility to implement an organization restructuring study. Recommendation to defer to 2nd year.

Electric Utility

- Page 17, \$90,000 to retain the services of Borismetrics and McDonald Partners, Inc. The two contracts would be offset by salary savings from two vacant positions.

Council Member Land noted that Electric Utility's savings this year due to services provided by McDonald Partners has been \$600,000 and he highly recommended that the contract be continued.

In reply to Mayor Hitchcock, Electric Utility Vallow reported that he is attempting to fill a crew now, which will be in operation for three to four months during the peak season.

- Page 18, \$8,500 replacement HP large format printer to be used by the engineering division. Recommended for approval in 1st year.
- Page 19, \$7,300 AutoCAD 2002 software upgrade that would include seven licenses. Recommended for approval in 1st year.
- Page 20, \$21,000 for automated meter reading, data processing, and customer display. Recommendation to approve \$21,000 in the 1st year.

Electric Utility Director Vallow explained that this is a pilot program to move toward automated services in real time metering. Initially, there will not be significant labor savings.

Mayor Pro Tempore Howard anticipated that the automated meter reading will replace individuals reading meters and believed that it was a good direction to pursue.

- Page 22, \$7,000 for desktop and laptop computers for upgrade or replacement. Recommendation to fund \$7,000 in 2004-05, with 2nd year request deferred to following year.
- Page 23, \$127,875 consisting of \$82,875 for an electrical technician, \$30,000 for a panel truck, and \$15,000 for tools. Recommendation for approval in 1st year.

Mayor Hitchcock asked that these amounts be separated on the summary sheet.

- Page 24, \$20,000 in 1st and 2nd year for a certified trainer to provide safety training for the department. Recommended for approval in both years.
- Page 25, \$10,000 to replace existing furniture in the superintendent's office and construction maintenance supervisor's office. Recommended for approval.

Mayor Hitchcock expressed concern about approving this request considering the financial constraints the City is under.

Council Member Land voiced support for the request, as it would improve efficiency in the office.

- Page 26, \$8,000 for flame resistant jackets. Recommended for approval as requested.
- Page 27, \$10,000 to send crews to skill set competitions. Recommended for approval as requested.
- Page 28, \$20,000 for professional services to paint the exterior surfaces of substation equipment to prevent rusting of the transformer cooling radiators and tap changers. Recommended for approval as requested.

In response to Council Member Hansen, Mr. Vallow stated that this is a two-year program.

Transportation:

- Page 29, convert a Municipal Service Center contract Management Analyst to a full-time permanent position. Recommendation to defer one year and that the request be reviewed during the reorganization study. Also recommended that the contract position continue to be funded as it currently is in the operating budget, and outlined in alternative two on page 29.

In reply to Mayor Hitchcock, Ms. Keeter reported that the contract Management Analyst has been employed for two years. Mayor Hitchcock stated that it is evident a need exists and recommended approval of the request.

In response to Council Member Hansen, Ms. Keeter acknowledged that there would be no additional cost if the contract position was converted to a full-time permanent position. Council Member Hansen also expressed support for approving the request.

Leisure, Cultural and Social Services:

- Page 30, \$9,600 for rental of storage space for the balance of the items in the inventory that were donated by Dave Vaccarezza from Breakaway Sports. Recommended for approval.

Mayor Pro Tempore Howard commented that she hoped it would not take the full 2003-04 fiscal year to find a purchaser for the remainder of the equipment and for the indoor soccer fields to be constructed.

- Page 31, \$11,495 for a part-time intern CAD operator. Recommendation to defer to 2nd year.
- Page 32, Lois Borchardt School after school program, \$50,730 will be funded 100% through fees.
- Page 33, Woodbridge Middle School after school program, \$43,030 has offsetting revenue. Recommendation for approval in 2nd year as requested.
- Page 34, Lodi Middle School after school program, \$43,030 has offsetting revenue. Recommended for approval.

In reply to Council Member Land, Ms. Keeter stated that she will correct the report to indicate that the fees are between \$85 and \$100 per month, per student.

Mayor Pro Tempore Howard noted that she would not be in support of the City funding these programs if there were not offsetting revenues.

- Page 35, \$9,500 for after school support staff intern. Cost will be recovered through the after school programs. Recommended for approval.
- Page 36, \$6,840 for recreation leader for Lakewood School's after school program. Cost will be fully recovered. Recommended for approval.
- Page 37, \$10,000 pay increase for sports officials. Cost to be offset by participants in the BOBS sporting programs. Recommended for approval.
- Page 38, \$12,530 for covered soccer field operations. Cost to be offset by participant fees. Recommended for approval.
- Page 41, \$23,500 to contract with the Lodi Softball Umpire Association. The Association would be responsible for recruiting, retaining, and assigning the softball officials. There would be no additional cost to the City. Recommended for approval.
- Page 42, \$5,000 maintenance materials for ball fields. Private donations and investments totaling \$75,000 have been contributed toward improvements to Zupo, Blakely, and Kofu Parks and it is desired to maintain the fields at the same level. Recommended for approval.

- Page 43, \$20,000 to provide the Parks Division with additional funds for tree maintenance. Recommended for approval in 2nd year.

In answer to Council Member Hansen, Public Works Director Prima explained that the Street Tree program and Parks program are separate and he did not believe money could be saved by consolidating the maintenance of the trees.

Mayor Hitchcock did not believe there would be sufficient funding in the 2nd year for all the expenditures that were being deferred. She suggested that this request be considered during the next two-year budget.

Council Members Land and Beckman expressed support for deferring the request to the 2nd year as recommended.

- Page 44, \$2,220 to fund a service to control gophers at Salas Park. Recommended for approval.
- Page 45, \$5,000 to refinish City-owned basketball portable floors at the Grape Pavilion on an annual rotational basis. Recommendation to defer to 2nd year.
- Page 46, \$35,800 for additional full-time laborer at Lodi Lake Park. This is needed due to an increase in parks facilities that must be maintained, i.e. Katzakian Park and the Phase 2 bike path at Lodi Lake. Recommendation to approve \$12,000 in part-time hours for 1st year.

Mayor Pro Tempore Howard voiced opposition to the request and believed that it should be deferred.

Council Member Land stated that Lodi is noted for its well-maintained parks. He expressed support for the request; however, he would agree with the City Manager's recommendation if a review of the parks was done every quarter or six months to ensure they are being properly maintained, and if not, the matter would be brought back to Council.

- Page 47, \$10,000 for Salmon Festival. Offsetting revenue through vendor fees and sponsors is anticipated. Recommended for approval.
- Page 48, \$3,150 for Camp Lodi Lake program. This program was previously funded by a grant that has since expired. Offsetting revenue is anticipated through participant fees. Recommended for approval.
- Page 49, \$5,000 for sod cutter. Recommended for approval in 2nd year as requested.
- Page 50, \$9,500 for a digital projector at the Performing Arts Theatre. Cost could be repaid within three years through rental fees. Recommended deferral to 2nd year.
- Page 51, \$21,500 for security guards for after hours events, and evening and weekend arts classes. Cost to be offset by registration and rental revenues. Recommended for approval as requested.

Community and Economic Development:

- Page 52, \$10,000 for reclassification of Administrative Clerk II to Permit Technician. Recommended for approval.

Mayor Hitchcock voiced support for this request.

- Page 53, blue sheet, 10% reduction of funding in both years for Lodi Conference and Visitors Bureau and the Downtown Lodi Business Partnership (DLBP).

City Manager Flynn recommended that a 10% reduction also be made in both years to the Lodi Arts Commission, Lodi-Tokay Rotary, Lodi District Chamber of Commerce, and the San Joaquin Partnership.

Mayor Pro Tempore Howard concurred with the City Manager's recommendation and stated that it is a trend that should be continued in the future.

Council Member Land also voiced support for the City Manager's recommendation.

Council Member Hansen recalled that the Council previously authorized funding to the DLBP specifically for banners. The banners have not yet been purchased. He believed that the DLBP should complete this obligation before taking on other projects.

Council Member Land concurred with Mr. Hansen's comments. He suggested that future funding be held until the banners have been ordered.

City Manager Flynn offered another option whereby the DLBP submits the banner bill to the City for payment, after which the remaining balance (out of the \$45,000, 2003-04 contribution) is given to the DLBP.

Mayor Hitchcock disagreed with the suggestions regarding the banners and believed that to micromanage their budget to that degree would incur an extreme hardship on the DLBP.

Council Member Beckman concurred with statements made by Council Members Land and Hansen.

- Page 56, \$2,720 to expand the size and functionality of the City's website. There is a need for increased capacity and having the website hosted on a dedicated server. Recommended for approval as requested in 1st and 2nd year.
- Page 54, \$26,400 for Public Works Engineering Division to implement a flexible staffing opportunity for the Technician classification. Recommendation to defer to 2nd year.

General Government:

- Page 55, \$6,000 for reclassification of the Deputy City Manager to Assistant City Manager. This would result in reorganization within the City Manager's Office wherein Facilities Maintenance, Finance, ISD, and Human Resources would be under the supervision of the Assistant City Manager. Recommendation for the reclassification and salary increase to occur in the 2nd year.

Mayor Pro Tempore Howard saw the distinction in the City Manager's responsibility as a supervisory role, which should not be duplicated in another position. She felt that it was appropriate that all departments go directly to the City Manager and he can delegate as appropriate.

Council Member Land questioned how the effected departments felt about this recommendation, to which Mr. Flynn indicated that there was trepidation on the part of some that resulted in the amended request to defer this matter to the 2nd year. It is anticipated to be phased in as replacements occur in these departments.

Council Member Hansen expressed support for the recommendation and stated that it is a supervisorial structure that is very common and fits in with sound business and management practices. He suggested that Mr. Flynn check how many survey cities are organized similarly.

Mayor Hitchcock and Council Member Beckman expressed agreement with the City Manager's recommendation.

Mayor Pro Tempore Howard believed that maintaining the current relationship and makeup of the department was very important and reiterated that supervision is the role and responsibility of the City Manager. The Deputy City Manager position can continue to develop skills by providing assistance.

- Page 57, request to convert the Information Systems Division to a department and the Information Systems Manager to a department head. The ISD currently has ten employees. This request is strictly for a reorganization and no costs are associated with it.

In answer to Council inquiries, City Manager Flynn confirmed that department heads were "at will" employees. Mr. Flynn stated that in ISD, salary is based at market, as opposed to the organization function.

- Page 58, \$3,555 Fleet Services request to reclassify the Administrative Clerk to Senior Administrative Clerk, 50% funded by the general fund. Recommended for approval in 1st year.
- Page 59, \$128,500 for additional maintenance cost associated with the new Police Facility. Recommended for approval as a placeholder in the 2nd year. \$50,000 of this amount is attributable to the utilities as a result of the new building. The old public safety building will also need to be maintained.

Council Member Land pointed out that the new building will be occupied in early 2004 and some building maintenance funding will be needed.

City Manager Flynn agreed that some level of funding will be needed for 2003-04.

Ms. Keeter reviewed the upcoming budget calendar.

Mr. Flynn pointed out that the significant expenditure requests could have been reviewed at a Shirtsleeve Session and noted that there was little public interest in this topic. He cautioned that the upcoming capital budget discussion would likely be lengthy.

Mayor Hitchcock suggested that the next regular meeting of the City Council begin at 5:30 p.m. to allow for review of the capital budget. She preferred that the budget be discussed during regular meetings because Shirtsleeve Session are held at an early morning hour and are not televised.

Council Member Land was not in favor of a 5:30 p.m. meeting start time.

Mayor Pro Tempore Howard requested that consideration be made for the City Clerk's Office request for citywide records management training, as it is important to have a records management program, which will also serve to reduce risk of liability. She suggested that the protocol account be used to fund the request.

Mayor Hitchcock favored funding the expense related to an electronic agenda process out of the next budget or the protocol account. She noted that it would be a time saving process and reduce the amount of paper being consumed by the current Council agenda packet process.

Council Member Beckman agreed with the suggestion to use protocol account funding toward needs for the electronic agenda process. He also concurred with Council Member Land that the next regular meeting begin at 7:00 p.m. rather than 5:30 p.m.

Mayor Hitchcock emphasized that the capital budget discussion would be of public interest and suggested that a special evening meeting be held to review it.

Council Member Hansen voiced support for either a special meeting or beginning the next regular meeting at 5:30 p.m.

Mayor Pro Tempore Howard was not in support of a 5:30 p.m. start time for the next regular meeting. She stated that Shirtsleeve Sessions should be held whenever there is a quorum of the Council and believed that the capital budget discussion would be an appropriate topic for a Shirtsleeve Session.

Council Member Land commented that this is the third budget he has worked on during his terms as a Council Member. The last two have been done in a timely fashion, in addition to getting regular business done. He supported public involvement in the process and noted that in the past, when the final budget was being considered, there was a lot of public input. He pointed out that discussion regarding significant expenditure requests has taken three and a half hours and during the past two hours there have been no members of the public present. He suspected that very few citizens were viewing the meeting on the television broadcast and asked anyone that may be watching to call and let him know. He believed that preliminary budget discussions should be conducted during Shirtsleeve Sessions. He agreed with Ms. Howard's comment that Shirtsleeve Sessions should be held if there is a quorum of the Council available to attend.

Mayor Hitchcock reported that she had received input from the public that they perceive the Shirtsleeve Sessions as meetings that they are not invited to and it is their impression that they are held in the early morning hours so that the public does not know what is going on. She believed that there is a general distrust of government and it was her goal as Mayor to be more open. She reiterated her preference that budget discussions take place during regular televised meetings. In response to Mr. Land's earlier comments, she stated that it appeared to her as though it was not important to him whether the public was aware of what was going on in the City.

Council Member Land strongly disagreed with the Mayor's interpretation of his comments. He recalled that it had happened on previous occasions and demanded that the Mayor not make such misleading statements again in the future. He asserted that the public is very important to him and believed that he had spent more time with the public than the Mayor has. He implied that the Mayor may be giving the public a message that Shirtsleeve Sessions are a way for the Council to conduct City business without having public input; however, he has made it a practice to invite citizens to the meetings, and if they were unable to attend, he brought their concerns to Council.

Mayor Hitchcock offered an apology.

Mayor Pro Tempore Howard expressed support for Mr. Land's position. She stated that when citizens ask her what the purpose of Shirtsleeves Sessions are, she explains that they are a time for Council to hear items that are very lengthy, complex, or might take multiple meetings in order to receive all the information. She noted that no one has approached her with a concern that they were not welcome or invited to the Shirtsleeve Sessions.

Council Member Hansen noted that both he and Mr. Land would be absent at next Tuesday's Shirtsleeve Session and hoped that the capital budget could be discussed when they were able to attend the meeting. He commented that he was proud to serve as a member of the Council and believed that each had in their heart a desire to serve and help the public. He stated that if it is going to be made a practice to end meetings at 11:00 p.m. that they conclude early enough to allow for Item K, Comments by the Council.

MOTION / VOTE:

There was no Council action necessary on this matter.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

Following the 11:00 p.m. hour, the City Council, on motion of Council Member Beckman, Land second, unanimously voted to continue the remainder of the meeting to the Regular City Council meeting of April 16, 2003.

I. REGULAR CALENDAR (Continued)

- I-3 "Adopt resolution approving the Final Development Impact Mitigation Fee Program Annual Report Fiscal Year 2001/2002" was ***continued to the regular meeting of April 16, due to the above vote.***
- I-4 "Adopt resolution approving revised class specifications for Fire Division Chief and Fire Battalion Chief" was ***continued to the regular meeting of April 16, due to the above vote.***
- I-5 "Discuss and take appropriate action, if desired, for Council Members to contribute a share of cost toward their medical insurance premiums" was ***continued to the regular meeting of April 16, due to the above vote.***
- I-6 "Discussion of Council Appointee compensation and benefits – City Manager, City Attorney, and City Clerk (Government Code §54957)" was ***continued to the regular meeting of April 16, due to the above vote.***

J. ORDINANCES

None.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

None.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 12:28 a.m., April 3, 2003.

ATTEST:

Susan J. Blackston
City Clerk